

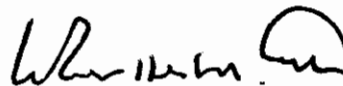
**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

ALICIA HIGGINS,	:	
Plaintiff,	:	Case No. 3:04CV118
vs.	:	District Judge Walter Herbert Rice
	:	Magistrate Judge Sharon L. Ovington
BEHR DAYTON THERMAL, et al.	:	
Defendants.	:	

DECISION AND ENTRY ADOPTING REPORT AND RECOMMENDATIONS FILED ON MAY 20, 2005 (Doc. #22); GRANTING DEFENDANT BEHR DAYTON THERMAL'S MOTION FOR SUMMARY JUDGMENT (Doc. #20); DISMISSING PLAINTIFF'S COMPLAINT UNDER FED. R. CIV. P. 41(b) DUE TO HER FAILURE TO PROSECUTE; AND TERMINATING CASE ON THE DOCKET OF THIS COURT

The Court has conducted a de novo review of the Report and Recommendations of United States Magistrate Judge Sharon L. Ovington (Doc. #22), to whom this case was originally referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** in full said Report and Recommendations. It is therefore **ORDERED** that:

1. The Report and Recommendations filed on May 20, 2005 (Doc. #22) is ADOPTED;
2. Plaintiff's Complaint is DISMISSED under Fed. R. Civ. P. 41(b) due to her failure to prosecute; and
3. This case is terminated on the docket of this Court.



Walter Herbert Rice
United States District Judge